

CII#28252792

DOB# 7/16/67

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

NO. 4CA12352

PAGE NO. 1

THE PEOPLE OF THE STATE OF CALIFORNIA VS.

CURRENT DATE 03/27/14

DEFENDANT 01: ALEJANDRO ORTIZ PONCE

LAW ENFORCEMENT AGENCY EFFECTING ARREST: LAPD - HOLLYWOOD AREA

BAIL: APPEARANCE DATE	AMOUNT OF BAIL	DATE POSTED	RECEIPT OR BOND NO.	SURETY COMPANY	REGISTER NUMBER
--------------------------	-------------------	----------------	------------------------	----------------	--------------------

CASE FILED ON 02/28/14.

COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING
COMMITTED, ON OR ABOUT 02/26/14 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING
OFFENSE(S) OF:

COUNT 01: 422(A) PC MISD

NEXT SCHEDULED EVENT:

02/28/14 830 AM ARRAIGNMENT DIST EAST LOS ANGELES CTHOUS DEPT 002

ON 02/28/14 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

CASE CALLED FOR ARRAIGNMENT

PARTIES: UPINDER S. KALRA (JUDGE) JENNIFER BACON (CLERK)
JODI DANIELS (REP) ANDRE QUINTERO (CA)

DEFENDANT DEMANDS COUNSEL.

COURT REFERS DEFENDANT TO THE PUBLIC DEFENDER.

PUBLIC DEFENDER APPOINTED. MICHAEL C. KELLY - P.D.

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY MICHAEL C. KELLY DEPUTY
PUBLIC DEFENDER

ON PEOPLE'S MOTION, COURT ORDERS COMPLAINT AMENDED BY INTERLINEATION TO ADD
VIOLATION 422(A) PC MISD AS COUNT 02.

A COPY OF THE COMPLAINT AND THE ARREST REPORT GIVEN TO DEFENDANTS COUNSEL.

DEFENDANT WAIVES ARRAIGNMENT, READING OF COMPLAINT, AND STATEMENT OF
CONSTITUTIONAL AND STATUTORY RIGHTS.

COUNT (01) : DISPOSITION: ALL OTHER DISMISSALS NOT (A) TO (L)

DEFENDANT PLEADS NOT GUILTY TO COUNT 02, 422(A) PC.

COURT ORDERS AND FINDINGS:

-DO NOT USE OR THREATEN TO USE FORCE OR VIOLENCE ON ANY PERSON.

DO NOT ANNOY, HARASS OR MOLEST ANY PERSON OR WITNESS INVOLVED IN
THIS CASE, ESPECIALLY PATRICIA V. AND JOSEPH R.

-NOT OWN, USE OR POSSESS ANY DANGEROUS OR DEADLY WEAPONS,

INCLUDING ANY FIREARMS, KNIVES OR OTHER CONCEALABLE WEAPONS.

-DO NOT ASSOCIATE WITH AND STAY 100 YARDS AWAY FROM
HOLLYWOOD/HIGHLAND COMPLEX AT 6801 HOLLYWOOD BLVD, LOS ANGELES,
CA 90028 AND FROM PATRICIA V. AND FROM JOSEPH R.

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

DEFENDANT DENIES ANY AND ALL SPECIAL ALLEGATIONS.

DEFENSE COUNSEL'S 991PC MOTION IS HEARD, ARGUED AND GRANTED IN
PART. THE PEOPLE CONCEDE TO THE MOTION AS TO COUNT 1 AND THE
COURT GRANTS THE MOTION AS TO COUNT 1. COUNT 1 IS HEREBY
DISMISSED.

THE 991PC MOTION IS DENIED AS TO AMENDED COUNT 2.

CASE NO. 4CA12352
DEF NO. 01

PAGE NO. 2
DATE PRINTED 03/27/14

MATTER IS SET FOR PRE TRIAL AS INDICATED BELOW.

(P/V TRAILING: 9MP03344)
BAIL SET AT \$50,000.
NEXT SCHEDULED EVENT:
03/03/14 830 AM BAIL REVIEW DIST EAST LOS ANGELES CTHOUS DEPT 002
CUSTODY STATUS: REMANDED TO CUSTODY

ON 03/03/14 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

CASE CALLED FOR BAIL REVIEW
PARTIES: JOSEPH R. PORRAS (JUDGE) LIVIER GONZALEZ (CLERK)
KRIS MASSEY (REP) ANDRE QUINTERO (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY MICHAEL C. KELLY DEPUTY
PUBLIC DEFENDER
BAIL SET AT \$50,000

AT DEFENSE COUNSEL'S REQUEST, BAIL REVIEW IS TAKEN OFF CALENDAR.

PRE-TRIAL IS TRAILED TO MARCH 5, 2014 IN THIS DEPARTMENT.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

NO STATUTORY TIME WAIVED.

NEXT SCHEDULED EVENT:

UPON MOTION OF DEFENDANT
03/05/14 830 AM PRETRIAL HEARING DIST EAST LOS ANGELES CTHOUS DEPT 002

CUSTODY STATUS: REMANDED TO CUSTODY

ON 03/05/14 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

CASE CALLED FOR PRETRIAL HEARING
PARTIES: JOSEPH R. PORRAS (JUDGE) LIVIER GONZALEZ (CLERK)
KRIS MASSEY (REP) ANDRE QUINTERO (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY MICHAEL C. KELLY DEPUTY
PUBLIC DEFENDER
BAIL SET AT \$50,000

NEXT SCHEDULED EVENT:

UPON MOTION OF DEFENDANT
03/07/14 830 AM PRETRIAL HEARING DIST EAST LOS ANGELES CTHOUS DEPT 002

CUSTODY STATUS: REMANDED TO CUSTODY

ON 03/07/14 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

CASE CALLED FOR PRETRIAL HEARING
PARTIES: JOSEPH R. PORRAS (JUDGE) LIVIER GONZALEZ (CLERK)
KRIS MASSEY (REP) ANDRE QUINTERO (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY MICHAEL C. KELLY DEPUTY
PUBLIC DEFENDER
BAIL SET AT \$50,000

PRETRIAL HEARING CONTINUED TO 03-13-14 IN DEPARTMENT 2 AT
8:30AM. BAIL TO REMAIN AT \$50,000

IF BAIL IS POSTED DEFENDANT IS ORDERED TO STAY AWAY FROM

CASE NO. 4CA12352
DEF NO. 01

PAGE NO. 3
DATE PRINTED 03/27/14

HOLLYWOOD AND HIGHLAND.

REMAND/REMOVAL ORDERED ISSUED.

ENTRY M. GRUENER
NEXT SCHEDULED EVENT:
03/13/14 830 AM PRETRIAL HEARING DIST EAST LOS ANGELES CTHOUS DEPT 002
CUSTODY STATUS: REMANDED TO CUSTODY

ON 03/13/14 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

CASE CALLED FOR PRETRIAL HEARING
PARTIES: JOSEPH R. PORRAS (JUDGE) LIVIER GONZALEZ (CLERK)
KRIS MASSEY (REP) PATRICK KO SHIBUYA (CA)
THE DEFENDANT FAILS TO APPEAR, WITH SUFFICIENT EXCUSE. (MISS-OUT) AND
REPRESENTED BY MICHAEL C. KELLY DEPUTY PUBLIC DEFENDER

BAIL SET AT \$50,000
DEPUTY C.A. PATRICK SHIBUYA IS SPECIALLY APPEARING ON BEHALF
OF DEPUTY C.A. ANDRE QUINTERO FOR THIS APPEARANCE ONLY.
DEFENDANT IS A CUSTODY MISS-OUT TODAY DUE TO LOCK-DOWN STATUS
AT LOS ANGELES COUNTY JAIL.

HEARING IS TRAILED TO MARCH 17, 2014. REMOVAL ORDER ISSUED.

SEE ALSO: 9MP03344, TO FOLLOW.
NO STATUTORY TIME WAIVED.

NEXT SCHEDULED EVENT:
UPON MOTION OF DEFENDANT
03/17/14 830 AM PRETRIAL HEARING DIST EAST LOS ANGELES CTHOUS DEPT 002
DAY 17 OF 30

CUSTODY STATUS: REMANDED TO CUSTODY

ON 03/17/14 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

CASE CALLED FOR PRETRIAL HEARING
PARTIES: JOSEPH R. PORRAS (JUDGE) LIVIER GONZALEZ (CLERK)
RAQUEL LOPEZ (REP) ANDRE QUINTERO (CA)
THE DEFENDANT IS PRESENT(IN LOCK UP) AND REPRESENTED BY MICHAEL C. KELLY DEPUTY
PUBLIC DEFENDER

ON PEOPLE'S MOTION, COURT ORDERS COMPLAINT AMENDED BY INTERLINEATION TO ADD
VIOLATION 653M(B) PC MISD AS COUNT 03.

ON PEOPLE'S MOTION, COURT ORDERS COMPLAINT AMENDED BY INTERLINEATION TO ADD
VIOLATION 647(F) PC MISD AS COUNT 04.

COUNT (02) : DISPOSITION: DISMISSAL IN FURTH OF JUSTICE PER 1385 PC
DEFENDANT PLEADS NOT GUILTY TO COUNT 03, 653M(B) PC.

DEFENDANT PLEADS NOT GUILTY TO COUNT 04, 647(F) PC.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
PEOPLE HAVE FILED THE FOLLOWING DOCUMENTS WITH THE COURT:

CASE NO. 4CA12352
DEF NO. 01

PAGE NO. 4
DATE PRINTED 03/27/14

WRITTEN NOTICE OF MOTION AND MOTION TO FILE AMENDED COMPLAINT;
AND AN AMENDED COMPLAINT, ADDING COUNTS 3 AND 4.

DEFENDANT IS ARRAIGNED ON NEWLY AMENDED COMPLAINT THROUGH
DEFENSE COUNSEL.

PEOPLE'S MOTION TO DIMISS COUNTS 1 AND 2 IS GRANTED BY THE
COURT. NOTE: COUNT 1 WAS PREVIOUSLY DISMISSED PURSUANT TO
991 P.C. MOTION HEARD ON 2/28/14.

BY AGREEMENT OF THE PARTIES, PRE-TRIAL IS CONTINUED TO
MARCH 21, 2014 AS DAY 21 OF 30. TIME IS NOW WAIVED.

BAIL SET AT \$50,000.

NO STATUTORY TIME WAIVED.

NEXT SCHEDULED EVENT:

UPON MOTION OF DEFENDANT

03/21/14 830 AM PRETRIAL HEARING DIST EAST LOS ANGELES CTHOUS DEPT 002
DAY 21 OF 30

CUSTODY STATUS: REMANDED TO CUSTODY

ON 03/21/14 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

NUNC PRO TUNC ORDER PREPARED. IT APPEARING TO THE COURT THAT THE MINUTE ORDER
IN THE ABOVE ENTITLED ACTION DOES NOT PROPERLY REFLECT THE COURT'S ORDER. SAID
MINUTE ORDER IS AMENDED NUNC PRO TUNC AS OF THAT DATE. ALL OTHER ORDERS ARE
TO REMAIN IN FULL FORCE AND EFFECT. DETAILS LISTED AT END OF THIS MINUTE ORDER.
CASE CALLED FOR PRETRIAL HEARING

PARTIES: JOSEPH R. PORRAS (JUDGE) LIVIER GONZALEZ (CLERK)
KRIS MASSEY (REP) ANDRE QUINTERO (CA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY MICHAEL KELLY DEPUTY PUBLIC
DEFENDER

MARVIN DAVIS, OFFICIAL COURT INTERPRETER, PRESENT AS SPANISH INTERPRETER.

OATH ON FILE.

DEFENDANT ADVISED OF AND PERSONALLY AND EXPLICITLY WAIVES THE FOLLOWING RIGHTS:

WRITTEN ADVISEMENT OF RIGHTS AND WAIVERS FILED, INCORPORATED BY REFERENCE

HEREIN

TRIAL BY COURT AND TRIAL BY JURY

CONFRONTATION AND CROSS-EXAMINATION OF WITNESSES;

SUBPOENA OF WITNESSES INTO COURT TO TESTIFY IN YOUR DEFENSE;

AGAINST SELF-INCRIMINATION;

DEFENDANT ADVISED OF THE FOLLOWING:

THE NATURE OF THE CHARGES AGAINST HIM, THE ELEMENTS OF THE OFFENSE IN THE
COMPLAINT, AND POSSIBLE DEFENSES TO SUCH CHARGES;

THE POSSIBLE CONSEQUENCES OF A PLEA OF GUILTY OR NOLO CONTENDERE, INCLUDING

THE MAXIMUM PENALTY AND ADMINISTRATIVE SANCTIONS AND THE POSSIBLE LEGAL
EFFECTS AND MAXIMUM PENALTIES INCIDENT TO SUBSEQUENT CONVICTIONS FOR THE

SAME OR SIMILAR OFFENSES;

THE EFFECTS OF PROBATION;

IF YOU ARE NOT A CITIZEN, YOU ARE HEREBY ADVISED THAT A CONVICTION OF THE
OFFENSE FOR WHICH YOU HAVE BEEN CHARGED WILL HAVE THE CONSEQUENCES OF
DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF
NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES.

CASE NO. 4CA12352
DEF NO. 01

PAGE NO. 5
DATE PRINTED 03/27/14

COUNSEL FOR THE DEFENDANT JOINS IN THE WAIVERS AND CONCURS IN THE PLEA.
COURT FINDS THAT EACH SUCH WAIVER IS KNOWINGLY, UNDERSTANDINGLY, AND EXPLICITLY
MADE;

THE DEFENDANT PERSONALLY WITHDRAWS PLEA OF NOT GUILTY TO COUNT 03 AND PLEADS
NOLO CONTENDERE WITH THE APPROVAL OF THE COURT TO A VIOLATION OF SECTION
653M(B) PC IN COUNT 03. THE COURT FINDS THE DEFENDANT GUILTY.

COUNT (03) : DISPOSITION: CONVICTED

COURT ORDERS AND FINDINGS:

-TAHL WAIVER IS ORDERED FILED.

COURT FINDS THAT THERE IS A FACTUAL BASIS FOR DEFENDANT'S PLEA, AND COURT
ACCEPTS PLEA.

DEFENSE REQUEST TO UNHANDCUFF AND/OR UNSHACKLE THE DEFENDANT

DURING A NON-JURY TRIAL PROCEEDING IN THIS COURT IS HEARD,

ARGUED AND DENIED

WAIVES TIME FOR SENTENCE.

NEXT SCHEDULED EVENT:

SENTENCING

AS TO COUNT (03):

DEFENDANT HAVING BEEN DULY ARRAIGNED FOR JUDGMENT AND THERE BEING NO LEGAL
CAUSE WHY JUDGMENT SHOULD NOT BE PRONOUNCED AGAINST HIM, THE COURT ORDERS THE
FOLLOWING JUDGMENT:

IMPOSITION OF SENTENCE SUSPENDED

DEFENDANT PLACED ON SUMMARY PROBATION

FOR A PERIOD OF 036 MONTHS UNDER THE FOLLOWING TERMS AND CONDITIONS:

PLUS \$132.00 987.8 P.C. - ATTORNEY FEES

\$30.00 CRIMINAL CONVICTION ASSESSMENT (PURSUANT TO 70373 G.C.)

\$40.00 COURT OPERATIONS ASSESSMENT (PURSUANT TO 1465.8(A)(1) P.C.)

DEFENDANT SHALL PAY A RESTITUTION FINE IN THE AMOUNT OF \$150.00 TO THE COURT

TOTAL DUE: \$352.00

IN ADDITION:

-DO NOT USE OR THREATEN TO USE FORCE OR VIOLENCE ON ANY PERSON.

DO NOT ANNOY, HARASS OR MOLEST ANY PERSON OR WITNESS INVOLVED IN

THIS CASE, ESPECIALLY JOSEPH RIVAS AND PATRICIA VALDIVIA.

-STAY 100 YARDS AWAY FROM THE HOLLYWOOD ENTERTAINMENT DISTRICT
WITH THE FOLLOWING BOUNDARIES: NORTH FRANKLIN, SOUTH SUNSET,
WEST LA BREA AND EAST ARGYLE

-OBEY THE PROTECTIVE ORDER ISSUED IN THIS OR ANY OTHER CASE.

-DEFENDANT IS SERVED WITH A COPY OF THE PROTECTIVE ORDER IN OPEN
COURT.

-ATTEND 52 ALCOHOLIC ANONYMOUS MEETINGS

-SUBMIT YOUR PERSON AND PROPERTY TO SEARCH AND SEIZURE AT ANY
TIME OF THE DAY OR NIGHT, BY ANY PROBATION OFFICER OR OTHER
PEACE OFFICER, WITH OR WITHOUT A WARRANT, PROBABLE CAUSE OR
REASONABLE SUSPICION.

COURT ORDERS AND FINDINGS:

-OBEY ALL LAWS AND ORDERS OF THE COURT.

-DEFENDANT ACKNOWLEDGES TO THE COURT THAT THE DEFENDANT
UNDERSTANDS AND ACCEPTS ALL THE PROBATION CONDITIONS, AND
DEFENDANT AGREES TO ABIDE BY SAME.

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
A PROBATION REVOCATION RESTITUTION FINE IN THE AMOUNT OF \$150.00
IS STAYED UNTIL PROBATION IS REVOKED AND SENTENCE IMPOSED.

CASE NO. 4CA12352
DEF NO. 01

PAGE NO. 6
DATE PRINTED 03/27/14

DEFENDANT IS ORDERED NOT TO POSSESS ANY DANGEROUS OR DEADLY
WEAPONS OR CONCEALABLE WEAPONS.
PROOF OF ENROLLMENT IN ALCOHOLIC ANONYMOUS COUNSELING IS
DUE IN DEPARTMENT 1 AT 8:30 A.M.

PAYMENT OF COURT FEES IS DUE IN THE CLERKS OFFICE ON 03-23-15

RELEASE ORDER ISSUED #AR036207

TCIS ENTRY E.LUNA

COUNT (03): DISPOSITION: CONVICTED

REMAINING COUNTS DISMISSED:

COUNT (04): DISMISSED DUE TO PLEA NEGOTIATION

DMV ABSTRACT NOT REQUIRED

NEXT SCHEDULED EVENT:

05/21/14 830 AM PROOF OF ENROLLMENT DIST EAST LOS ANGELES CTHOUS DEPT
001

NEXT SCHEDULED EVENT:

03/23/15 830 AM FINES/FEES DIST EAST LOS ANGELES CTHOUS DEPT CLK

CUSTODY STATUS: ON PROBATION.

03/27/14

I HEREBY CERTIFY THIS TO BE A TRUE AND CORRECT COPY OF THE ELECTRONIC DOCKET
ON FILE IN THIS OFFICE AS OF THE ABOVE DATE.

SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK OF SUPERIOR COURT, COUNTY OF LOS
ANGELES, STATE OF CALIFORNIA

BY _____, DEPUTY

